
LEGISLATURE OF PENNSYLVANIA.

FILE OF THE HOUSE OF REPRESENTATIVES.

No. **1048** Session of
1919.

INTRODUCED BY MR. C. A. REBER, MARCH 24, 1919.

REFERRED TO COMMITTEE ON MUNICIPAL CORPORATIONS,
MARCH 25, 1919.

AN ACT

Providing for the examination of applicants for and the appointment of persons to the office of city clerk assistant city clerk and of all persons holding salaried positions in the office of the city clerk in cities of the third class in the Commonwealth of Pennsylvania creating a civil service board in each of such cities to have charge of the examination of applicants for and the recommendation of the appointment of persons to the aforesaid offices providing for the suspension and discharge of such persons so appointed prescribing the powers and duties of said civil service board authorizing the appointment of a secretary to said board and providing for his compensation and providing for the stationery and supplies used by said board incidental to its administration

1 Section 1 *Be it enacted by the Senate and House of Repre-*
2 *sentatives of the Commonwealth of Pennsylvania in General Assembly*
3 *met and it is hereby enacted by the authority of the same That*
4 hereafter no person shall be appointed in any city of
5 the third class in Pennsylvania to the office of city
6 clerk or assistant city clerk or to any salaried position
7 whatsoever in the office of the city clerk except in the
8 manner and subject to the terms of this act

9 Section 2 There is hereby created in each city of
10 the third class in Pennsylvania a civil service board
11 hereinafter designated as the board to be composed of
12 three citizens of the city wherein said board is appointed
13 The members of the board shall be appointed by the
14 city council of the several cities for the terms of four
15 years each and shall serve until their successors shall
16 have been duly appointed and qualified One of the mem-
17 bers of the board shall be a physician and one shall
18 be an educator The members first appointed under this
19 act shall be appointed within thirty days from and after
20 the passage of this act one of the members shall be
21 appointed for a term of two years one for a term of
22 three years and one for a term of four years Upon
23 the expiration of the term of any member of the board
24 a successor shall be appointed within ten days for a term of
25 four years Any vacancy on the board happening by
26 death resignation removal from the city or from any
27 other cause shall within ten days be filled by the city
28 council for the unexpired term

1 Section 3 The members of the board shall before en-
2 tering upon their duties take and subscribe to the oath
3 of office prescribed by article seven of the Constitution and
4 shall file the same in the office of the city controller
5 No salary or other compensation whatever shall be paid
6 to any member of the board but any necessary expenses
7 incurred by the board which shall first be authorized by
8 ordinance or resolution of city council shall be paid from
9 the city treasury in the usual manner

10 Section 4 Within five days after the first board shall
11 have been appointed under the provisions of this act the
12 members of the board so appointed shall organize as a
13 board by the election of a president Annually thereafter
14 the board shall in like manner organize on the first
15 Monday of January of each year Two members of the
16 board shall constitute a quorum for the transaction of
17 any and all business which may be brought before the
18 board The board shall hold meetings from time to time
19 as the public business may require

20 Section 5 The board shall upon organization and at
21 the time of organizing annually thereafter elect a secre-
22 tary The city council may fix the compensation of the
23 secretary which shall be paid from the city treasury in
24 the usual manner of paying salaries of other city officials

25 Section 6 All stationery and supplies necessary for
26 the transaction of the business of the board shall be
27 furnished by the city council at the expense of the city

1 Section 7 The board shall as soon as convenient
2 after organization prepare and adopt rules and regulations
3 which shall be subject to change and amendments from
4 time to time as occasion may require The rules so
5 adopted shall provide for the selection of persons to be
6 appointed to the office of city clerk and assistant city
7 clerk and all regular salaried positions in the office of
8 the city clerk and said rules shall provide for the ex-
9 amination of candidates for any of said positions with
10 a view to ascertaining and determining so far as pos-
11 sible their physical qualifications habits reputation standing
12 experience and education

13 Section 8 The board shall require from all persons
14 desiring to be examined the filing of a formal applica-
15 tion within a time to be fixed by the rules of the
16 board prior to the proposed examination which application
17 shall set forth (a) the name of the applicant in full
18 (b) his residence and post office address together with
19 street and number (c) the citizenship of the applicant
20 (d) his age and place and date of birth (e) his
21 education (f) his business and employment during the last
22 past three years prior to filing said application (g) and
23 such other information as the board may require

24 Section 9 The board shall conduct examinations from
25 time to time and as necessity requires of which examina-
26 tions adequate notice shall be given in such manner as
27 shall be prescribed by the board in its rules and
28 regulations All examinations shall be practical in their
29 character and shall relate to those matters which will

1 fairly test the qualifications and fitness of the persons
2 submitting themselves for examination for the positions for
3 which the examination is being held

4 Section 10 The board shall at all times keep separ-
5 ate lists of all persons who have successfully passed any
6 examinations arranged according to the several salaried
7 offices and positions existing in the office of the city
8 clerk including those for city clerk and assistant city
9 clerk and where more than one person takes an ex-
10 amination for an office or position those successfully pass-
11 ing such examinations shall be entered upon the eligible
12 list in the order of their respective percentages the high-
13 est coming first

14 Section 11 Whenever any vacancy shall occur in the
15 office of city clerk assistant city clerk or any other
16 salaried position in the office of the city clerk the su-
17 perintendent having in charge the office of the city clerk
18 shall make a written application to the president of the
19 board requesting that said board shall certify to the city
20 council the first three names of the eligible list for the
21 office or position to be filled and said board through its
22 president shall forthwith certify said names to the city
23 council as aforesaid

24 Section 12 The city council shall fill the office or
25 position in question by appointing one of the three per-
26 sons whose names were submitted by the president of
27 the board In making appointments to the offices of city
28 clerk and assistant clerk or to the salaried positions in

1 the office of city clerk the city council shall consider
2 first the name of any person employed in the office of
3 the city clerk and whose names may be upon the
4 eligible list and thereafter the names from among those
5 persons possessing equal qualifications and eligibility Pre-
6 ference shall be given to soldiers and sailors who have
7 served in the army and navy of the United States dur-
8 ing times of war should such names appear on the
9 eligible list

10 Section 13 The name of any person appointed by the
11 city council shall be immediately stricken from the eligible
12 list by the board and the two remaining names shall
13 remain thereon and be arranged forthwith according to
14 their percentages The name of any applicant who shall
15 have been rejected three times shall be stricken from
16 the list by the board

17 Section 14 All appointments made by the city council
18 under the provisions of this act shall be for and dur-
19 ing good behavior of the person appointed No person so
20 appointed or coming within the provisions of this act
21 shall be removed or transferred for any political reason
22 whatever

23 Section 15 All persons now holding appointments as
24 city clerk assistant city clerk or salaried positions in
25 the office of the city clerk in cities of the third class
26 in Pennsylvania shall remain in office without being re-
27 quired to pass an examination and shall be removed
28 from office only in accordance with the provisions of this
29 act

1 Section 16 City clerks assistant city clerks and per-
2 sons holding salaried positions in the office of the city
3 clerk shall be subject to suspension by the superintendent
4 of the department in charge of said office for miscon-
5 duct or violation of any law of the Commonwealth or
6 ordinance of the city or regulation of the department in
7 which they are employed and serving The city council
8 shall forthwith investigate the charges against the person
9 in question and may hold hearings and receive such
10 testimony as may be offered At any hearing the person
11 against whom charges have been preferred may be rep-
12 resented by counsel After investigation and hearing the
13 city council if they find such person guilty of the
14 charges preferred may fine suspend or discharge said
15 person

16 Section 17 If any of the provisions of this act
17 shall be declared unconstitutional such decision shall not
18 effect the remaining provisions of this act it being the
19 intention of the Legislature that the provisions of this
20 act are severable

21 Section 18 That all acts and parts of acts inconsist-
22 ent with this act are hereby repealed